

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Angie Velez, Megan Heckard, and Hillary Wright ,

Plaintiffs,

-against-

Artem Prusayev and the City of New York,

Defendants.

**STIPULATION AND
ORDER OF
SETTLEMENT OF
ATTORNEY'S FEES,
EXPENSES, AND COSTS**

22-CV-1810 (FB) (VMS)

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WHEREAS, plaintiffs Angie Velez, Megan Heckard, and Hillary Wright commenced this action by filing a complaint on or about March 31, 2022, alleging that defendants Artem Prusayev and the City of New York violated their federal, state, and common law rights; and

WHEREAS, defendants deny any and all liability arising out of plaintiffs' allegations; and

WHEREAS, defendant City of New York served plaintiffs Angie Velez, Megan Heckard, and Hillary Wright each with an Offer of Judgment pursuant to Fed. R. Civ. P. 68 on July 26, 2022, which each plaintiff accepted on August 8, 2022;

WHEREAS, the Court entered judgment against the City of New York; and

WHEREAS, plaintiffs' counsel, J. Remy Green, Esq. of Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq., have each represented that plaintiffs Angie Velez, Megan Heckard, and Hillary Wright have assigned all of their rights to attorneys' fees, expenses, and costs to their counsel, Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq.; and

WHEREAS, pursuant to the General Releases executed concurrently herewith, plaintiffs Angie Velez, Megan Heckard, and Hillary Wright have assigned their rights to attorneys' fees, costs, and expenses, to their counsel Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq.; and

WHEREAS, the parties now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiffs' counsel, Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq., the total sum of Sixteen Thousand Five Hundred (\$16,500.00) Dollars, in a single draft made payable to Cohen & Green, P.L.L.C., in full satisfaction of any and all of plaintiffs' claims for attorneys' fees, expenses, and costs. In consideration for the payment of the total sum of Sixteen Thousand Five Hundred (\$16,500.00) Dollars, plaintiffs Angie Velez, Megan Heckard, and Hillary Wright and their counsel, J. Remy Green, Esq. of Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq., agree to release and discharge defendants Artem Prusayev and the City of New York; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Plaintiffs Angie Velez, Megan Heckard, and Hillary Wright and their counsel, J. Remy Green, Esq. of Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq.,

hereby agree and represent that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiffs in any application for attorneys' fees, expenses, or costs at any time. Cohen & Green, P.L.L.C. and Gideon Orion Oliver, Esq. agree to indemnify and hold harmless Artem Prusayev and the City of New York; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims for attorney's fees, expenses, and costs brought by, for, or on behalf of plaintiffs Angie Velez, Megan Heckard, and Hillary Wright arising out of, related to, this matter.

3. Plaintiffs' attorneys shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, which were transmitted between the parties with this settlement, including the releases based on the terms of paragraph 2 and 3 above

4. Nothing contained herein shall be deemed to be an admission by the defendants that it has in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

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5. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendant and counsels for plaintiffs hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

6. The Court retains jurisdiction for the purpose of enforcing this Stipulation and Order.

Dated: New York, New York
May 12, 2023

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Attorney for Defendant City of New York
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By: 
Michael Pesin-Virovets
Senior Counsel

SO ORDERED:

HON. VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE